



**COUNTY OF LOUDOUN  
PARKS, RECREATION AND COMMUNITY SERVICES  
REFERRAL MEMORANDUM**

**To:** Michael Elabarger, Project Manager, Planning Department (MSC #62)  
**From:** Brian G. Fuller, Park Planner, Facilities Planning and Development (MSC #78)  
**Through:** Mark A. Novak, Chief Park Planner, Facilities Planning and Development  
**CC:** Diane Ryburn, Director  
Steve Torpy, Assistant Director  
Su Webb, Park Board, Chairman  
Jim Bonfils, Park Board, Dulles District

**Date:** March 13, 2007

**Subject:** ZMAP 2004-0025 / ZCPA 2006-0011  
Brambleton Corner 3<sup>rd</sup> Submission

**Election District:** Dulles **Sub Planning Area:** Dulles **MCPI #** 201-29-5424

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant's third submission of the Statement of Justification (revised April 20, 2006), Draft Proffer Statement (revised December 13, 2006) and Concept Development Plan (revised October 10, 2006).

While no official proffers are offered for public recreation, PRCS is encouraged and supportive of the Applicant's vision to evaluate the possibility of providing additional, meaningful upgrades within Brambleton Community Park. Paved parking, lighting, fencing (baseball and softball outfields), bleachers, restrooms, concession, storage facilities and utilities are not included in the original proffer statement (as part of ZMAP 1993-0005) and therefore, become the responsibility of the County to provide. The Applicant has been gracious in providing upgrades so far, and is committed to working with PRCS to discuss and evaluate any additional necessary improvements that will benefit and complete the facilities for full public use and enjoyment. In addition, PRCS Staff has also been working in coordination with the Proffer Referral Team, through Daniel Csizmar, Capital Facilities Planner. PRCS is supportive of the Proffer Referral Team response.

In conclusion, PRCS offers no objection to the application approval based on the material provided. If you have any questions or concerns regarding these comments, please do not hesitate to contact me personally via phone at 571-258-3251, or via e-mail at [brian.fuller@loudoun.gov](mailto:brian.fuller@loudoun.gov). You may also contact Mark Novak via phone at 703-737-8992, or via e-mail at [mark.novak@loudoun.gov](mailto:mark.novak@loudoun.gov). I look forward to attending any meetings or work sessions to offer PRCS support, or to be notified of any further information regarding this project.

A-44

**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** May 7, 2005

**TO:** Jo Ramesh, AICP, Project Manager  
Land Use Review

**FROM:** <sup>RG</sup> Pat Giglio, Planner  
Community Planning



**SUBJECT: ZMAP 2004-0025 Brambleton Corner**

**BACKGROUND**

The applicant, Brambleton Group, LLC, requests approval to rezone approximately 12.5 acres of land from PD-IP (Planned Development-Industrial) to PD-H4 (Planned Development Housing) to allow the development of forty-nine (49) single-family attached homes at an overall density of 3.93 dwelling units per acre. The subject site is located west of existing Route 659 (Belmont Ridge Road) and is largely surrounded by the Brambleton Development. The land to the north, east and west of the subject site have been approved for future residential development and the land to the south and southeast is approved for industrial park uses, office uses, retail uses and a fire and rescue station as part of the Brambleton Development.

A review of County GIS records identify two small swales which run north to south near the center of the property which form a natural drainage. Hydric soils were identified in proximity to these natural drainages. Specimen trees and limited forest cover associated with a hedgerow on the eastern boundary of the property were also identified. A review of the submitted Phase I archaeological survey identified two archaeological sites on the subject property, 44LD682 and 44LD678, which were not considered potentially eligible for listing on the National Register of Historic Places, no additional archaeological investigations of the subject site were recommended. Staff notes that the subject site is located within the 60 LDN area of the airport noise contours.

**COMPLIANCE WITH THE COMPREHENSIVE PLAN**

The site is governed under the policies of the Revised General Plan, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Revised Countywide Transportation Plan (Revised CTP). The subject site is located in the Dulles Community within the Suburban Policy Area. The Revised General Plan identifies the subject site

A-45

as suitable for General Industrial uses (Revised General Plan, Planned Land Use Map, p. 7-23).

## ANALYSIS

### A. LAND USE

#### 1. General Industrial

General industrial uses are "predominantly labor-intensive industrial and commercial uses" that may have outdoor storage requirements, generate noise levels, odors and emissions that make them incompatible with residential and other business uses (Revised General Plan, text, pp. 6-30 & 6-31). The general industrial policies further maintain that general industrial uses will not be located adjacent to a residential neighborhood (Revised General Plan, Policy 7, p. 6-31). The Plan does allow for light industrial development within a general industrial use area (Revised General Plan, Policy 5, p. 6-31).

The Plan envisions general industrial uses on the subject property which is supported by the PD-IP (Planned Development-Industrial) zoning of the property. However, staff recognizes that the subject site is located adjacent to planned residential development to the north and that the land to the east, Graham/ Flynn/ Biggers (ZMAP 2003-007) which is also planned for general industrial uses, was rezoned in the fall of 2004 for residential uses to allow 149 single family attached dwellings at an approximate density of 3.4 dwelling units per acre, including 10 Affordable Dwelling Units (ADUs). The land south and southwest of the subject site and future Route 621 Relocated (East-West Connector) is planned, zoned and approved for industrial office, retail and fire safety uses. The use of the subject site for general or light industrial uses while consistent with the planned and zoned use of the land is not compatible with the planned and recently approved residential development pattern north of Route 621 Relocated. Additionally the Plan does not support the location of General Industrial uses adjacent to residential neighborhoods (Revised General Plan, Policy 7, p. 6-31).

***Staff finds that the Plan does not support the proposed residential land use of the subject site which is planned for General Industrial uses. However, based on the planned residential development and rezoning of adjacent properties for residential uses, the proposed rezoning of the subject site may be considered appropriate. Should the subject site be considered for residential rezoning staff recommends that the General Residential Policies of the Plan be applied in the review of the application.***

#### 2. Residential

New residential neighborhoods in the Suburban Policy Area are permitted to develop at densities up to 4.0 dwelling units per acre, depending on the availability of adequate roads, utilities, and the provision of a full complement of public services and facilities (Revised General Plan, Policy 1, p. 6-17). The application proposes a residential development consisting of thirteen (49) single family attached homes on 5.78 acres of land at an overall density of 3.93 dwelling units per acre. The proposed residential development is an extension of the planned Brambleton development to north with

which it shares an interconnected street grid and common entrances onto Route 659 Relocated (Belmont Ridge Road Relocated) and future Route 621 Relocated (East-West Connector).

***Staff finds that the proposed residential use is compatible with the densities and development patterns of the surrounding planned and recently approved residential communities.***

### **3. Public & Civic**

The Revised General Plan states that residential neighborhoods should have a mix of residential dwelling types and non-residential uses to create a balanced sustainable community. Plan policies state that residential neighborhoods will incorporate public and civic space at a minimum of 10% of the gross acreage of the property (Revised General Plan, Policy 2, p. 6-17). Civic uses, as defined in the Revised General Plan, are “public or quasi-public institutional uses... and typically include small churches, fire and rescue facilities, schools, day care centers, group homes, community centers, post offices, and community club houses” (Revised General Plan, Glossary, p. G-2).

The Revised General Plan states that “for properties up to 50 acres outside of Keynote Employment designations, the land-use mix attributed to the various land uses may not be achievable due to the small size of the parcel. In such case, an applicant for rezoning may vary from the land-use mix specified in the Plan by showing that an alternative is more appropriate to the specific site. This can be accomplished by providing the County with a survey of land uses within a 1,500-foot radius of the site” (Revised General Plan, Policy 8, p.6-7). The applicant states that due to the small size of the parcel, the proposed residential development will rely on the “amenities in Brambleton, including a program designed to provide substantial, additional active and passive open space and recreational opportunities...” (Brambleton Corner, Zoning Map Amendment Application-Statement of Justification, December 30, 2004, text, p. 1). No additional information or details regarding non-residential uses are provided.

***Staff recommends the applicant illustrate how the surrounding non-residential uses (within 1,500 foot radius of the site) will be made readily available to the proposed neighborhood.***

### **4. Public Parks and Open Space**

Open space is a critical component of a healthy, vibrant community (Revised General Plan, text, p. 6-9). The “outdoor rooms” of a community play a critical role in establishing community identity and facilitating social activities (Revised General Plan, Design Guidelines, p. 11-6). Plan policies state that residential neighborhoods will incorporate public parks and open space at a minimum of 30% of the gross acreage of the property (Revised General Plan, Policy 2, p. 6-17). All dwelling units should have an open space area located within 1500 feet (Revised General Plan, Policy 4, p. 6-10). The open space should consist of a hierarchical assortment of greens and squares located throughout the neighborhood, and be open to the surrounding streets in order

A.47

to contribute to a sense of spaciousness (Revised General Plan, Design Guidelines, p. 11-6).

The open space that is provided in residential neighborhoods should be mixed, and include active and passive and/or natural open space as appropriate to the site (Revised General Plan, Policy 1, p. 6-10). Active recreation includes ballfields, tennis or basketball courts, swimming pools, tot lots, golf courses, dog parks, and other areas for recreational sports or games. Passive open space consists of trails, picnic, camping, hunting, or fishing areas. While natural open space is land maintained in a mostly undeveloped state (Revised General Plan, Policy 1, p. 6-10).

The Concept Development Plan (CDP) indicates that the proposed development will incorporate 4.57 acres (36.6% of the site's gross acreage) of open space in the form of public open space, civic open space, and buffers. The open space as proposed is primarily located in a community green (1.22 acres) and on the perimeter of the site. The location of the community green near the center of the site provides a focal point for the community which is easily accessible by most residents. The community green is identified as providing both public and civic open space, but no details regarding the type of amenities that will be provided have been included on the CDP. Additionally a proposed trail is depicted in the buffer area adjoining Route 659 Relocated (Belmont Ridge Road Relocated) and future Route 621 Relocated (East-West Connector) which contributes to the passive recreation amenities and open space on the site.

***Staff requests specific detail regarding the civic and open space uses proposed for the community green and information on how the spaces will function within the proposed development. Staff further requests that the CDP depict the types of amenities that will be provided in the open space areas of the community green.***

## **B. EXISTING CONDITIONS**

The Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive and active resources that will be integrated in a related system. It includes stream corridors, vegetative landscapes, wildlife and endangered species habitats, and heritage resources (Revised General Plan, Policy 1, p.5-1 & 5-2). Development should take place around these elements, incorporating them into the design of the site (Revised General Plan, text, p. 6-2). Such an approach places a priority on preserving both sensitive environmental and man-made features.

The subject site includes a sod field which is actively managed and a tree lined hedgerow comprised of cedars on the eastern boundary of the property. Elements of the countywide Green Infrastructure that can be found on the subject site, include two small swales which form a natural drainage, hydric soils, specimen trees and limited forest cover. Detailed Plan guidance on the treatment of individual Green Infrastructure elements is outlined in the following sections.

### **1. Surface and Groundwater Resources**

A.48

The Plan calls for the protection of surface water resources from "contamination and pollution and preventing the degradation of water quality in the watersheds" (Revised General Plan, text, p. 5-12). Soil erosion and deposits of sediment in receiving streams and water bodies are the single largest contributor to degradation of stream water quality and loss of aquatic habitat in the County (Revised General Plan, Policy 6, p. 5-17). Streams are damaged as they take in stormwater from man-made systems which transport water in much higher volumes and at much greater velocities than natural systems. Two small swales run north to south on the subject site to form natural drainages. Located in conjunction with these swales are areas of hydric soils, which can be indicators of surface water saturation, runoff and low infiltration rates (Revised General Plan, text, p. 5-12). The swales feed an unnamed tributary to Broad Run south of the subject site.

The CDP does not acknowledge or integrate these swales into the site design nor does the plan provide any details for stormwater management on the site. The County encourages new developments to incorporate low impact development techniques which integrate hydrologically functional designs that minimize the volume of surface water run-off and reduces pollutants to better protect the integrity of receiving streams (Revised General Plan, Policy 17, p. 5-18). Bio-retention filter areas and landscaped drainage buffers could be employed on the subject site as part of the storm water management program, particularly in those areas adjoining impervious surfaces to dissipate, filter and treat surface water onsite. Best management practices to mitigate issues associated with water quality and run-off should be employed on site.

***Staff recommends that a detailed stormwater management program be provided outlining how the proposed stormwater management program will be incorporated into and protect the natural hydrological functions of the site.***

## **2. Forests, Trees, and Vegetation**

A key element of good environmental design is the integration of existing trees and vegetation into the design of new developments. The County's forests and trees improve air and water quality, offer important habitat for birds, small mammals and other wildlife, and are excellent buffers between communities. Forests and trees conserve energy by providing shade and evaporative cooling through transpiration. They also redirect airflow and reduce wind speed, stormwater runoff, and soil erosion (Revised General Plan, text, p. 5-32).

The Revised General Plan states that the submittal and approval of a forest management or tree conservation plan will be required prior to any land development. This plan will demonstrate a management strategy that ensures the long-term sustainability of any designated tree save areas (Revised General Plan, Policy 3, p. 5-32). A forest management plan submitted as part of the application identified specimen trees in proximity to an abandoned structure on the site and a tree lined hedgerow on the eastern boundary of the property which provide valuable wildlife habitat. The submitted CDP however does not delineate any of these identified specimen trees or existing tree cover associated with the hedgerow as tree save areas.



***Staff recommends that as much existing vegetation and trees as possible be incorporated into the design of the site. Staff requests that individual tree save and tree save areas be clearly delineated on the proposed CDP. Staff recommends commitment to the long-term maintenance of the tree save areas.***

### **3. Plant and Wildlife Habitats**

The Plan states that "the County will use the Virginia Department of Conservation and Recreation, Division of Natural Heritage's Biological and Conservation Data system to identify Loudoun County's natural heritage resources. These resources include rare, threatened and endangered plant and animal species; exemplary natural communities, habitats, and ecosystems; and other natural features of the County. The County will apply this information in the evaluation of development proposals. For those development applications that have a likely presence of one or more natural heritage resources, the County will require the applicant to conduct a species assessment and develop a plan for impact avoidance in cases where the presence of the species is identified" (Revised General Plan, Policy 8, p. 5-34).

A review of the Virginia Department of Conservation and Recreation, Division of Natural Heritage's Biological and Conservation Data system by the consultant, ECS Ltd., did not identify any previously documented natural heritage resources on the subject site. The absence of data for the subject site may indicate that the area had not been previously surveyed, rather than confirmation that the site lacks natural heritage resources. However based on the intensive agricultural use of the subject property as a sod farm their appears to be a low potential for the site to support populations of natural heritage resources.

***Staff has requested a formal determination from the Virginia Department of Conservation and Recreation of the presence of natural heritage resources on the subject site to verify these assumptions.***

### **4. Lighting**

The Plan states that the "beauty of the County's night sky is threatened by excessive and improper lighting" (Revised General Plan, text, p. 5-42). The Lighting and Night Sky policies of the Revised General Plan promote the "use of lighting for convenience and safety without nuisance associated with light pollution (Revised General Plan, Policy 1, p. 5-42). The submitted Statement of Justification and materials do not include any details regarding lighting for the proposed development.

***Staff recommends the applicant commit to shielding all proposed exterior lights to eliminate glare and light trespass.***

### **5. Historic Resources**

Plan policies recommend that "an archaeological and historical resources survey be submitted as part of all land development applications" (Revised General Plan, Policy 11, p. 5-35). A Phase I archaeological survey was completed in January 2001. The

A.50

survey consisted of surface reconnaissance and shovel testing of the subject site. The consultant's report identified two previously unrecorded historic archaeological sites on the subject property, 44LD682 and 44LD678, which were associated with the late nineteenth to twentieth century domestic occupation of the property. The two sites were not considered potentially eligible for listing on the National Register of Historic Places, no additional archaeological investigations of the subject site were recommended. Staff concurs with the consultant's findings, and no additional archeological surveys are recommended for the subject site.

The subject site includes a historic farmstead, comprised of a two-story wood frame principle dwelling constructed in the mid-nineteenth century, barn and several agricultural outbuildings constructed during the late nineteenth to mid-twentieth century. These structures will be demolished as part of the construction of Route 659 Relocated (Belmont Ridge Road Relocated) and the residential development of the subject site. The structures associated with the farmstead were recorded in 2003 on a reconnaissance level survey form (VDHR 052-5268) and entered into the Virginia Historic Sites Inventory maintained by the Virginia Department of Historic Resources. An intensive level architectural survey of all the structures on the site is recommended to provide a permanent record of the site prior to the demolition of these structures. The intensive level architectural survey will provide additional photographs and archival research to full document the historic farmstead for the benefit of future generations.

***Based on the consultant's recommendations and staff's review of the survey report, no further archeological investigations were recommended.***

***Staff recommends that an intensive level architectural survey be conducted to document the principal dwelling and agricultural outbuildings prior to demolition. The survey information should be provided to the Virginia Department of Historic Resources for inclusion in the Virginia Historic Sites Inventory.***

## **6. Airport Noise**

The subject site is located within the Ldn 60 noise contour for the Washington Dulles International Airport. Plan policies state that the County will require a full disclosure statement for all new residential dwelling units to be constructed within the Ldn 60-65 aircraft noise contours. The disclosure statement will make known in writing to all prospective purchasers that they are located within an area that will be impacted by aircraft overflights and aircraft noise. Such notification should be included in all sales contracts, brochures, and promotional documents, including the Illustrative Site Plan on display within any sales related office, as well as in homeowners' association documents, and all subdivision and site plans, and within all Deeds of conveyance (Revised General Plan, Policy 7, p. 5-46).

The applicant should commit to incorporate acoustical treatment into all dwelling units to ensure that interior noise levels within living spaces (not including garages, sunrooms, or porches) do not exceed a sound level of 45 db(A). Additionally the applicant should proffer the dedication of avigation easement to the Metropolitan



Washington Airports Authority (Revised General Plan, Policy 7, p. 5-46).

The Ldn 60 noise contour has not been delineated on the submitted plats.

***Staff recommends delineating the Ldn 60 on the submitted plats. Staff further recommends the applicant commit to disclosure of noise contours per Plan policy through notions on the plats and through proffer language.***

### **7. Road Noise Impacts**

The subject site will be bordered on the west by Route 659 Relocated (Belmont Ridge Road Relocated) and on the south by Route 621 Relocated (East-West Connector) which are planned as major collector roads. "The County will require that all land development applications that propose land uses adjacent to any of the existing and/or proposed arterial and major collector roads will be designed to ensure that no residential or other type(s) of noise-sensitive use(s) will have traffic noise impacts which occur when the predicted traffic noise levels approach or exceed the noise abatement criteria on the Noise Abatement Criteria (NAC) Hourly A-weighted Sound Levels table, or when predicted traffic noise levels substantially exceed existing noise levels. To determine the predicted highway noise levels and to assess noise impacts at a particular location, a land development applicant will be required to use the latest version of the Federal Highway Administration's Highway Traffic Noise Prediction Model (FHWA-RD-77-108, as amended). The design year noise level will be understood to be the probable traffic volume for said facilities at a time of ten to twenty years from the start of construction" (Revised General Plan, Policy 1, p. 5-46).

No traffic noise assessment or analysis data has been submitted.

***Staff requests that the applicant submit a traffic noise assessment in compliance with the latest version of the Federal Highway Administration's Highway Traffic Noise Prediction Model (FHWA-RD-77-108, as amended), as required by the County and described in the policies of the Revised General Plan. Staff also recommends that the applicant provide commitments to any proposed noise mitigation measures or illustrate design changes necessary to comply with noise standards.***

### **C. DESIGN GUIDELINES FOR RESIDENTIAL DEVELOPMENT**

The proposed CDP illustrates a compact residential development accessed by public roads, private streets and alleys in a rectilinear street pattern. The proposed development is an extension of the planned residential development to the north. The application provides an illustrative of the proposed layout of the development (sheet 3 of 8) but does not provide any substantial detail on the submitted CDP (sheet 7 of 8) to enable staff to evaluate the proposed design of the development. The submitted CDP does not depict sidewalks, street trees, street lighting or on street parking. Additionally the layout and orientation of the proposed townhouses are shown on the illustrative, but no details or typicals are provided on the CDP. It is not clear how the streets will appear or function for pedestrians and vehicles without this information. No landscaping plans

or amenities for the designated civic or open space uses have been provided. A trail network external to the development is shown on the illustrative, though no details are provided on the CDP.

The Revised General Plan states “that residential neighborhoods should have a variety of housing types and lot sizes, and they are to be developed in accordance with design guidelines and performance standards for efficient site layout, a pedestrian-friendly scale, adequate open space (active, passive, and natural), and the protection and incorporation of the Green Infrastructure” (Revised General Plan, text, p. 6-17). The Revised General Plan states that “Residential Neighborhoods will exhibit the following design characteristics desired by the County:

- Compact site layout to reduce trips within the neighborhood, facilitate alternative forms of transportation, preserve the Green Infrastructure, and result in reduced transportation and utilities infrastructure costs;
- Pedestrian-scale streetscape including such features as street trees, sidewalks along all street frontage, and street lighting;
- A predominantly interconnected street pattern with inter-parcel connections;
- A combination of neighborhood parks, squares, and greens located throughout the neighborhood within 1500 feet of all residences, and a formal civic square or other public space located in conjunction with a civic facility, Neighborhood Center, or other use, to create a focal point for the community;
- The location of public and civic uses such as churches and community centers in prominent sites to act as landmarks within the neighborhood;
- A variety of lot sizes” (Revised General Plan, Policy 4, p. 6-17).

Additionally, “spatial definition should be reinforced with the regular planting of street trees chosen to develop an overhead leaf canopy. Further street definition should be sought by emphasizing block corners with street lights, while the vista at the end of the street should terminate with a centrally placed building façade, such as a major house or civic building, an archway into a neighborhood green, a church spire or a monument” (Revised General Plan, text, p. 11-8). The Plan also indicates that “continuous parallel parking for additional cars and visitors should be provided in the street at the front of residential lots”, and “garages should be set back from the front façade of the dwellings” (Revised General Plan, text, 11-8).

More detailed information on design aspects of the proposed development is necessary to ensure that the design guidelines of the Revised General Plan regarding landscaping, inter-parcel connections, civic and open space uses have been addressed.

***To ensure that the design guidelines of the Revised General Plan for a residential neighborhood have been addressed, staff recommends the application be amended to include the following design elements:***

- ***a detailed development plan depicting typical buildings, sidewalks, street trees, street lighting and street parking;***
- ***a detailed landscaping plan indicating the types and location of landscaping to be used within the development;***
- ***recreational and/or playground equipment and other amenities to be provided in the proposed community green for open and civic space uses; and***
- ***detailed information on the external trail network (i.e. trail width, materials, etc.); and***

#### **E. PEDESTRIAN AND BICYCLE CIRCULATION**

Suburban communities should provide a pedestrian-friendly environment (Revised General Plan, Design Guidelines, p. 11-5). Within neighborhoods in the Suburban Policy Area, residential streets should have sidewalks on both sides of the streets with a minimum width of 5 feet and 2 feet vegetated buffers (Bicycle and Pedestrian Mobility Master Plan, Policy 2a, p. 31). Shared use pathways or trails are an important component of a bicycle and pedestrian transportation system, because they can provide a high quality walking and bicycling experience in an environment that is protected from traffic. Shared-use paths should be a minimum of 10 feet wide and paved (Bicycle and Pedestrian Mobility Master Plan, text, p. 41).

The submitted CDP does not indicate the location of sidewalks or trails within the proposed residential development. Pedestrian accommodations should be provided internally throughout the proposed development that include sidewalks and an internal trail system. Information should be provided regarding the width of the proposed sidewalks, and the width, composition, and safety features of proposed trails. The application also lacks information regarding bicycle and pedestrian connections to the Brambleton Development, upon which the proposed community proposes to rely upon for non-residential services. Without a safe and continuous pedestrian and bicycle network external to the development, opportunities for residents to have access to the surrounding residential developments and non-residential uses in the area is significantly limited.

***Staff requests information regarding the width and composition of the proposed sidewalks and trails. Staff recommends the following***

- ***all internal sidewalks be a minimum of 5 feet wide;***
- ***trails through the common open space include design features that enhance the safety and security for users and property owner;***
- ***the development be incorporated into the larger pedestrian and bicycle network for the Brambleton Development to create a continuous network of sidewalks and shared use paths; and that***
- ***crosswalks across Route 659 Relocated (Belmont Ridge Road Relocated) and Route 621 Relocated (East-West Connector) be provided to create a safe environment for pedestrians and bicycles. The crosswalks should afford a visual and textural transition between non-vehicular and vehicular***

***movements, such as a change in pavement type or at a minimum pavement markings.***

#### **F. CAPITAL FACILITIES**

All residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Plan calls for capital facilities contributions valued at "100 percent of capital facility costs per dwelling unit" at densities above the specified base density (Revised General Plan, Policy 1, p. 11-1). The base density is defined as "1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the property and in effect at the time of application"; whichever is lower (Revised General Plan, Policy 4c, p. 11-2). In this case the base density is zero and the applicant should mitigate 100% of costs.

The total projected capital facilities impact of the proposed development is \$1,092,259.00 (Attachment 1). As such, the net capital facilities contribution anticipated from the developer would be the equivalent of \$22,291 per unit.

#### **G. OPEN SPACE PRESERVATION PROGRAM**

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program" (Revised General Plan, Policy 3, p. 11-3). Densities ranging from 3.5 up to and including 4.0 dwelling units per acre may be considered by the County in return for voluntary participation in the open space preservation program. Land contribution on an acre-by-acre basis is desired. However, if the land offered does not suit the County in terms of quality or location, the County may consider cash in lieu of the land for the purchase of open space. The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted (Revised General Plan, Policy 3a, p. 11-3). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development.

In order to achieve the 49 dwelling units proposed by the applicant, 5.355 open space easements (Attachment 2) should be provided. In the past, cash contributions of up to \$6,000 per easement have been made in lieu of easements. However, this amount does not seem reasonable given the goal of purchasing open space easements in the Dulles Community.

***Staff recommends contributions to the Open Space preservation program at an amount reasonable to purchase open space in the Dulles Community.***

#### **RECOMMENDATIONS**

The Plan supports General Industrial uses and does not support the residential development of the subject site. However, based on the existing residential development and rezoning of adjacent properties for residential uses, the proposed rezoning of the subject site may be considered appropriate. Should the subject site be

considered for residential rezoning, staff has applied the General Residential Policies of the Plan in the review of the application. Community Planning is not able to fully evaluate the proposed residential rezoning request until such time as the following information is provided and issues have been addressed:

- delineation of civic and open space areas in the development;
- clarification of the amenities provided within open space areas (active, passive, and/or natural);
- provision of a landscape, lighting, and streetscape plan;
- detail of typical building and lot configuration;
- integration of existing environmental features into the site design;
- identification of individual tree saves and tree save areas on the CDP;
- delineation of the Ldn 60 airport noise contour and provision of a disclosure statement;
- submission of a traffic noise assessment;
- commitment to bicycle and pedestrian connections to adjoining residential communities; and
- mitigation of fiscal impacts.

Staff would be happy to meet with the applicant to discuss any comments or questions.

#### **Attachments**

Attachment 1: Capital Facilities Impact Analysis  
Attachment 2: Open Space Preservation Program Analysis

cc: Julie Pastor, AICP, Planning Director  
Cindy Keegan, AICP, Program Manager, Community Planning

**Attachment 1- Capital Facilities Impact Analysis**  
**ZMAP 2004-0025 Brambleton Corner**

**TOTAL PROJECTED CAPITAL FACILITIES IMPACT**

The total capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix, as follows:

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	0	\$37,660	\$0
Single-Family Attached (SFA)	49	\$22,291	\$1,092,259
Multi-Family (MF)	0	\$12,611	\$0
<b>TOTAL</b>	<b>49</b>		<b>\$1,092,259</b>

**49 Total Units      \$1,092,259 Total Projected Capital Facilities Impact**

**ANTICIPATED CAPITAL FACILITIES CONTRIBUTION**

The anticipated capital facilities contribution of the proposed development takes into account affordable dwelling units (ADUs) and the number of units permitted by the base density. The base density is either 1.0 du/acre or the density requirements of the existing zoning, whichever is lower (Revised General Plan, Proffer Guidelines, pp. 11-1 to 11-3). Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on February 15, 2005.

**1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines**

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	0	0	0
Single-Family Attached (SFA)	49	0	49
Multi-Family (MF)	0	0	0
<b>TOTAL</b>	<b>49</b>	<b>0</b>	<b>49</b>

**2. Capital Facilities Calculations for Market Rate Units**

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	0	\$37,660	\$0
Single-Family Attached (SFA)	49	\$22,291	\$1,092,259
Multi-Family (MF)	0	\$12,611	\$0
<b>TOTAL</b>	<b>49</b>		<b>\$1,092,259</b>

**3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings**

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
PD-IP	12.47	0	0	\$37,660	\$0
0	0.00	0	0	\$37,660	\$0
0	0.00	0	0	\$37,660	\$0
<b>TOTAL</b>			<b>0</b>		<b>\$0</b>

**4. Anticipated Capital Facilities Contribution**

\$1,092,259 - \$0 = \$1,092,259

**49 Market Rate Units Above Base Density      \$1,092,259 Anticipated Capital Facilities Contribution**

**Attachment 2 - Open Space Preservation Program Analysis**  
**ZMAP 2004-0025 Brambleton Corner**

Based on the Open Space Proffer Guidelines of the Revised General Plan, "residential densities above 3.5 and up to and including 4.0 dwelling units per acre may be considered by the County in return for voluntary participation in the open space preservation program." The Plan provides guidelines for the location and types of open space desired to be provided or purchased with cash in lieu on a per unit basis (Revised General Plan, Open Space Guidelines, p. 11-3). For residential neighborhoods, 1.0 easement is anticipated for every dwelling unit over a density of 3.5 du/acre.

1. Number of Units Permitted at 3.5 du/acre  
$$12.47 \text{ acres} \times 3.5 = 43.645$$

2. Number of Units Subject to Open Space Proffer Guidelines  
$$49 - 43.645 = 5.355$$

3. Exempt Affordable Dwelling Units  
$$5.355 - 0 = 5.355$$

5. Total Units Linked to Open Space Preservation = **5.355**

6. Accepted Contribution Range: \$3,800 to \$5,000 per Easement

$$\text{\$20,349} \quad \text{to} \quad \text{\$26,775}$$



**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** July 25, 2006

**TO:** Mike Elabarger, Project Manager  
Land Use Review

**FROM:** Pat Giglio, Planner  
Community Planning

**SUBJECT:** ZMAP 2004-0025 Brambleton Corner, 2<sup>nd</sup> Referral

**BACKGROUND**

The applicant, Brambleton Group, LLC, requests approval to rezone approximately 12.5 acres of land from PD-IP (Planned Development-Industrial) to PD-H4 (Planned Development Housing) to allow the development of forty-nine (49) single-family attached homes at an overall density of 3.93 dwelling units per acre. As part of the second submission the applicant has redesigned the site to include a pool and community center on approximately 4 acres in the southwest corner of the subject site. The pool and community center will serve the proposed residential neighborhood and larger Brambleton Community.

The subject site is located in the northeast quadrant of the intersection of Belmont Ridge Road Relocated (Route 659 Relocated) and the future East-West Collector (Route 621 Relocated). The land to the north, east and west of the subject site have been approved for future residential development and the land to the south and southeast is approved for industrial park uses, office uses, retail uses and a fire and rescue station as part of the Brambleton Development.

A review of County GIS records identify two small drainage swales, hydric soils, specimen trees and limited forest cover on the subject site. Two archaeological sites (44LD682 and 44LD678) were identified on the subject property, but were not considered potentially eligible for listing on the National Register of Historic Places, no additional archaeological investigations were recommended. The subject site is located within the Airport Noise Impact Overlay District and impacted by the Ldn 60 noise contours of the Washington Dulles International Airport.

Below is staff's analysis of the outstanding issues associated with the proposed residential development.

**OUTSTANDING ISSUES****A. LAND USE**

The Plan envisions Industrial uses on the subject site which is supported by the PD-IP (Planned Development-Industrial) zoning of the property. However, staff recognizes that much of the land to the north of the future East-West Collector (Route 621 Relocated) has been rezoned or is in the process of being rezoned for residential uses. Most notably the approximately 35 acre Graham/ Flynn/ Biggers tract, which is located immediately west of the subject site and which is also designated for industrial uses by the Plan, was rezoned in the fall of 2004 for 149 single family attached dwellings at an approximate density of 3.4 dwelling units per acre (ZMAP 2003-007).

The land south of the subject site on the opposite side of the future East-West Connector (Route 621 Relocated) is planned, zoned and approved for industrial office, retail and fire safety uses. The use of the subject site for general or light industrial uses while consistent with the planned and zoned use of the land is not compatible with surrounding planned and recently approved residential developments north of the future East-West Connector (Route 621 Relocated). The applicant's proposal to develop of forty-nine (49) single family attached homes on the 12.5 acre subject site at an overall density of 3.93 dwelling units per acre is consistent with design and densities of these surrounding residential uses.

***Staff finds that the Plan does not support the proposed residential land use of the subject site which is planned for General Industrial uses. However, based on the planned residential development and rezoning of adjacent properties for residential uses, the proposed rezoning of the subject site for residential uses may be considered appropriate. Should the subject site be considered for residential rezoning staff recommends that the General Residential Policies of the Plan be applied in the review of the application.***

**B. PUBLIC, CIVIC and OPEN SPACE**

The Revised General Plan states that residential neighborhoods should have a mix of residential dwelling types and non-residential uses to create a balanced sustainable community. Plan policies state that residential neighborhoods will incorporate public and civic space at a minimum of 10% of the gross acreage of the property (Revised General Plan, Policy 2, p. 6-17). The applicant has revised the design of the site to include a pool and community center on approximately 4 acres in the southwest corner of the subject site. The pool and community center will function as a focal point in the community and will serve the proposed residential neighborhood and larger Brambleton Community. The proposed community center will provide meeting space and fulfill the civic needs of the community.

Open space is a critical component of a healthy, vibrant community (Revised General Plan, text, p. 6-9). In residential areas at least 75 percent of the open space should be comprised of usable "interior open space" (Revised General Plan, Policy 3, p.6-10). The submitted plat indicates that the proposed development will incorporate 5.80 acres

**A-60**

(46.5% of the site's gross acreage) of open space. The open space as proposed is primarily located within a central green referred to as the "great lawn" located adjacent to the proposed pool and community center. The remainder of the open space is comprised of residual open space adjoining the proposed single family attached dwelling and perimeter buffers. A proposed trail is depicted in the buffer area adjoining Route 659 Relocated (Belmont Ridge Road Relocated) and the future East-West Connector (Route 621 Relocated) which contributes to the passive recreation amenities and open space on the site.

***Staff finds that the proposed design fulfills the civic requirements of the community and is consistent with the Open Space policies of the Plan.***

### **C. EXISTING CONDITIONS**

The Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive and active resources that will be integrated in a related system. It includes stream corridors, vegetative landscapes, wildlife and endangered species habitats, and heritage resources (Revised General Plan, Policy 1, p.5-1 & 5-2). Development should take place around these elements, incorporating them into the design of the site (Revised General Plan, text, p. 6-2). Such an approach places a priority on preserving both sensitive environmental and man-made features.

In the first referral staff had requested that tree save areas be delineated on the plat. In response, the applicant has designated the tree lined hedgerow comprised of cedars on the eastern boundary of the property as a "possible tree save area" on the submitted CDP. The applicant should commit to and proffer the tree save area to ensure the protection of these trees. Additionally a forest management or tree conservation plan should be developed that addresses the long term maintenance and care for these trees. The existing trees provide an important habitat for birds, small mammals and other wildlife, and provide a mature landscape buffer which will provide better screening between the subject site and the future residential development on the Graham/ Flynn/ Biggers tract.

***Staff requests that the applicant commit to and proffer the proposed tree save areas delineated on the submitted CDP. Staff recommends a commitment by the applicant to the long-term maintenance of the tree save areas.***

### **D. DESIGN GUIDELINES FOR RESIDENTIAL DEVELOPMENT**

The Revised General Plan states "that residential neighborhoods should have a variety of housing types and lot sizes, and they are to be developed in accordance with design guidelines and performance standards for efficient site layout, a pedestrian-friendly scale, adequate open space (active, passive, and natural), and the protection and incorporation of the Green Infrastructure" (Revised General Plan, text, p. 6-17).

The proposed CDP illustrates a compact residential development accessed by private streets and alleys in a rectilinear street pattern. The proposed development is an extension of the planned residential development to the north. In the first referral staff

A-61

had requested that the CDP be revised to depict sidewalks, street trees, street lighting and on street parking, as well as the layout and orientation of the proposed townhouses to provide assurances of the design of the proposed residential neighborhood. As part of the second submission the applicant has revised the development plan to include a parking plan, lot layout, sidewalks, a bicycle pedestrian trail and identification of civic and open space areas on the CDP (Sheet 7 & 8). The landscape plan and building footprints have been included on another sheet for illustrative purposes only (Sheet 3).

***Staff finds that the proposed residential community conforms with the design guidelines for residential development outlined in the Plan. Staff recommends a commitment to the revised concept development plan and the proposed amenities.***

#### **E. PEDESTRIAN AND BICYCLE CIRCULATION**

Suburban communities should provide a pedestrian-friendly environment comprised of internal sidewalks and interconnected shared use pathways or trails. In the first referral staff had requested that information on the width and composition of the proposed sidewalks and trails be provided, as well as crosswalks. In response the applicant has committed to providing 5' internal sidewalks and a 10' shared use patch within the perimeter buffers of the subject site adjoining the roadways. A proposed crosswalk across Route 659 Relocated (Belmont Ridge Road Relocated) and Route 621 Relocated (East-West Connector) has also been depicted on the CDP.

***Staff finds the proposed sidewalks, trails, and crosswalks fulfill the pedestrian and bicycle requirements for the neighborhood and are sufficiently linked to the larger Brambleton trail network. Staff recommends that the crosswalk be designed to distinguish non-vehicular and vehicular space, such as a change in pavement type or at a minimum pavement markings.***

#### **F. CAPITAL FACILITIES**

All residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Plan calls for capital facilities contributions valued at "100 percent of capital facility costs per dwelling unit" at densities above the specified base density (Revised General Plan, Policy 1, p. 11-1). The base density is defined as "1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the property and in effect at the time of application"; whichever is lower (Revised General Plan, Policy 4c, p. 11-2). In this case the base density is zero and the applicant should mitigate 100% of costs.

The total projected capital facilities impact of the proposed development is \$1,092,259.00 (Attachment 1). As such, the net capital facilities contribution anticipated from the developer would be the equivalent of \$22,291 per unit.

A-62

## **G. OPEN SPACE PRESERVATION PROGRAM**

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program" (Revised General Plan, Policy 3, p. 11-3). Densities ranging from 3.5 up to and including 4.0 dwelling units per acre may be considered by the County in return for voluntary participation in the open space preservation program. Land contribution on an acre-by-acre basis is desired. However, if the land offered does not suit the County in terms of quality or location, the County may consider cash in lieu of the land for the purchase of open space. The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted (Revised General Plan, Policy 3a, p. 11-3). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development.

In order to achieve the 49 dwelling units proposed by the applicant, 5.355 open space easements (Attachment 2) should be provided. In the past, cash contributions of up to \$6,000 per easement have been made in lieu of easements. However, this amount does not seem reasonable given the goal of purchasing open space easements in the Dulles Community.

***Staff recommends contributions to the Open Space preservation program at an amount reasonable to purchase open space in the Dulles Community.***

## **RECOMMENDATIONS**

The Plan supports General Industrial uses and does not support the residential development of the subject site. However, based on the surrounding planned land uses and rezoning of adjacent industrial use properties for residential uses, the proposed rezoning of the subject site may be considered appropriate. Should the subject site be considered for residential rezoning, staff recommends the applicant commit to tree save areas, the draft proffer language and the submitted revised concept development plan.

Staff would be happy to meet with the applicant to discuss any comments or questions.

## **Attachments**

Attachment 1: Capital Facilities Impact Analysis  
Attachment 2: Open Space Preservation Program Analysis

cc: Julie Pastor, AICP, Planning Director  
Cindy Keegan, AICP, Program Manager, Community Planning

A-63

**Attachment 1- Capital Facilities Impact Analysis**  
**ZMAP 2004-0025 Brambleton Corner**

**TOTAL PROJECTED CAPITAL FACILITIES IMPACT**

The total capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix, as follows:

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	0	\$37,660	\$0
Single-Family Attached (SFA)	49	\$22,291	\$1,092,259
Multi-Family (MF)	0	\$12,611	\$0
<b>TOTAL</b>	<b>49</b>		<b>\$1,092,259</b>

**49 Total Units      \$1,092,259 Total Projected Capital Facilities Impact**

**ANTICIPATED CAPITAL FACILITIES CONTRIBUTION**

The anticipated capital facilities contribution of the proposed development takes into account affordable dwelling units (ADUs) and the number of units permitted by the base density. The base density is either 1.0 du/acre or the density requirements of the existing zoning, whichever is lower (Revised General Plan, Proffer Guidelines, pp. 11-1 to 11-3). Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on February 15, 2005.

**1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines**

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	0	0	0
Single-Family Attached (SFA)	49	0	49
Multi-Family (MF)	0	0	0
<b>TOTAL</b>	<b>49</b>	<b>0</b>	<b>49</b>

**2. Capital Facilities Calculations for Market Rate Units**

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	0	\$37,660	\$0
Single-Family Attached (SFA)	49	\$22,291	\$1,092,259
Multi-Family (MF)	0	\$12,611	\$0
<b>TOTAL</b>	<b>49</b>		<b>\$1,092,259</b>

**3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings**

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
PD-IP	12.47	0	0	\$37,660	\$0
0	0.00	0	0	\$37,660	\$0
0	0.00	0	0	\$37,660	\$0
<b>TOTAL</b>			<b>0</b>		<b>\$0</b>

**4. Anticipated Capital Facilities Contribution**

\$1,092,259 - \$0 = \$1,092,259

**49 Market Rate Units Above Base Density**

**\$1,092,259 Anticipated Capital Facilities Contribution**

**A-64**

**Attachment 2 - Open Space Preservation Program Analysis**  
**ZMAP 2004-0025 Brambleton Corner**

Based on the Open Space Proffer Guidelines of the Revised General Plan, "residential densities above 3.5 and up to and including 4.0 dwelling units per acre may be considered by the County in return for voluntary participation in the open space preservation program." The Plan provides guidelines for the location and types of open space desired to be provided or purchased with cash in lieu on a per unit basis (Revised General Plan, Open Space Guidelines, p. 11-3). For residential neighborhoods, 1.0 easement is anticipated for every dwelling unit over a density of 3.5 du/acre.

1. Number of Units Permitted at 3.5 du/acre

12.47	acres	x	3.5	=	43.645
-------	-------	---	-----	---	--------

2. Number of Units Subject to Open Space Proffer Guidelines

49	-	43.645	=	5.355
----	---	--------	---	-------

3. Exempt Affordable Dwelling Units

5.355	-	0	=	5.355
-------	---	---	---	-------

5. Total Units Linked to Open Space Preservation = **5.355**

6. Accepted Contribution Range: \$3,800 to \$5,000 per Easement

<b>\$20,349</b>	<b>to</b>	<b>\$26,775</b>
-----------------	-----------	-----------------

**A-65**



**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** August 3, 2006

**TO:** Mike Elabarger, Project Manager, Land Use Review

**FROM:** Pat Giglio, Planner, Community Planning

**SUBJECT:** ZMAP 2004-0025 Brambleton Corner, 2<sup>nd</sup> Referral  
Capital Facilities

This memo is an addendum to Community Planning's 2<sup>nd</sup> Referral on the Brambleton Corner application (ZMAP 2004-0025). It specifically addresses the proposal's conformance with the County's Capital Facilities policies.

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Revised General Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Policy 1, p. 11-1). The base density is defined as 1.0 dwelling unit per acre or a base density equivalent to the density requirements contained in the existing zoning district regulations applicable to the property and in effect at the time of application; whichever is lower (Revised General Plan, Policy 4c, p. 11-2).

Capital facility impacts have been calculated for the proposed development including the costs associated with the provision of safety, government, recreation, and education services, etc. based on the updated numbers approved by the Board of Supervisors on June 25, 2006. As such, the net capital facilities contribution anticipated from the developer would be the equivalent of \$1,455,741 or \$29,709 per unit (see Attachment A).

**ATTACHMENTS**

**Attachment A:** Capital Facilities Impact Analysis

cc: Julie Pastor, AICP, Planning Director  
Sarah Coyle, AICP, Community Planning Division Manager

A-66

**Attachment 1- Capital Facilities Impact Analysis**  
**ZMAP 2004-0025 Brambleton Corner Revised**

**TOTAL PROJECTED CAPITAL FACILITIES IMPACT**

The total capital facilities impact of the proposed development is calculated using the approved capital intensity factors for the proposed unit mix, as follows:

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Capital Intensity Factors</i>	<i>Projected Capital Facilities Impact</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	49	\$29,709	\$1,455,741
Multi-Family (MF)	0	\$18,904	\$0
<b>TOTAL</b>	<b>49</b>		<b>\$1,455,741</b>

**49 Total Units      \$1,455,741      Total Projected Capital Facilities Impact**

**ANTICIPATED CAPITAL FACILITIES CONTRIBUTION**

The anticipated capital facilities contribution of the proposed development takes into account affordable dwelling units (ADUs) and the number of units permitted by the base density. The base density is either 1.0 du/acre or the density requirements of the existing zoning, whichever is lower (Revised General Plan, Proffer Guidelines, pp. 11-1 to 11-3). Revised Capital Intensity Factors (CIFs) were adopted by the Board of Supervisors on July 25, 2006.

**1. Number of Market Rate Units Subject to Capital Facilities Proffer Guidelines**

<i>Housing Type</i>	<i>Total Number of Units</i>	<i>Number of Proposed ADUs</i>	<i>Number of Market Rate Units</i>
Single-Family Detached (SFD)	0	0	0
Single-Family Attached (SFA)	49	0	49
Multi-Family (MF)	0	0	0
<b>TOTAL</b>	<b>49</b>	<b>0</b>	<b>49</b>

**2. Capital Facilities Calculations for Market Rate Units**

<i>Housing Type</i>	<i>Total Number of Market Rate Units</i>	<i>Capital Intensity Factors</i>	<i>Capital Facilities Calculations for Market Rate Units</i>
Single-Family Detached (SFD)	0	\$46,819	\$0
Single-Family Attached (SFA)	49	\$29,709	\$1,455,741
Multi-Family (MF)	0	\$18,904	\$0
<b>TOTAL</b>	<b>49</b>		<b>\$1,455,741</b>

**3. Capital Facility Credit for Base Density Units assuming Single Family Detached Dwellings**

<i>Zoning District</i>	<i>Acres</i>	<i>Density Permitted By-right (du/acre)</i>	<i>Base Density Units</i>	<i>Capital Intensity Factor</i>	<i>Capital Facility Credit for Base Density Units</i>
PD-IP	0.00	0	0	\$46,819	\$0
0	0.00	0	0	\$46,819	\$0
0	0.00	0	0	\$46,819	\$0
<b>TOTAL</b>			<b>0</b>		<b>\$0</b>

**4. Anticipated Capital Facilities Contribution**

\$1,455,741 -      \$0      =      \$1,455,741

**\$1,455,741 Anticipated Capital Facilities Contribution**

Created 8/3/2006

**A-67**

**County of Loudoun**  
**Department of Planning**  
**MEMORANDUM**

**DATE:** May 21, 2007

**TO:** Mike Elabarger, Project Manager  
Land Use Review

**FROM:** Pat Giglio, Planner  
Community Planning

**SUBJECT: ZCPA 2006-0011 Brambleton Corner (w/ ZMAP 2004-0025)**

**BACKGROUND**

The applicant, Brambleton Group, LLC, is requesting a Zoning Concept Amendment (ZCPA) to amend the previously approved proffers for the Brambleton Development (ZMAP 1993-0005, ZCPA 1993-0007, and ZCPA 2005-0012) to relocate a "Community Center/Recreation Site" planned for Land Bay 2 to the subject site and to alter the original proffer triggers for the delivery of recreation facilities within the Brambleton Development. The subject site is an approximately 12.5 acre parcel located in the northeast quadrant of the intersection of Belmont Ridge Road Relocated (Route 659 Relocated) and the future East-West Collector (Route 621 Relocated). In a separate application, ZMAP 2004-0025, the applicant has requested that the same parcel be rezoned from PD-IP (Planned Development-Industrial) to PD-H4 (Planned Development Housing) to allow the development of forty-nine (49) single-family attached homes in addition to the proposed "Community Center/Recreation Site". The proposed "Community Center/Recreation Site" would occupy approximately four acres in the southwest corner of the subject site and would be comprised of a pool, public green and community center.

The ZCPA request to amend the proffers and relocate the proposed "Community Center/Recreation Site" for Land Bay 2 of the Brambleton Development to the subject site is supported by the Revised General Plan, which calls for the provision of civic and open space uses within Residential Neighborhoods in the Suburban Policy Area (Revised General Plan, Policy 4d, p. 6-18). The Plan also states civic and community uses should be sited in prominent locations with high visibility to serve as landmarks for the community (Revised General Plan, Policy 4d, p. 6-18 and Design Guidelines, p. 11-7). The proposal to alter the original proffer triggers for the delivery of the "Community

A-68

Center/Recreation Site" within the Brambleton Development will permit the delivery of a facility earlier in the process.

#### **COMPLIANCE WITH THE COMPREHENSIVE PLAN**

The site is governed under the policies of the Revised General Plan, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Revised Countywide Transportation Plan (Revised CTP). The subject site is located in the Dulles Community within the Suburban Policy Area. The Revised General Plan identifies the subject site as suitable for General Industrial uses (Revised General Plan, Planned Land Use Map, p. 7-23).

#### **RECOMMENDATION**

The proposed Zoning Concept Amendment (ZCPA) to amend the previously approved proffers for the Brambleton Development (ZMAP 1993-0005, ZCPA 1993-0007, and ZCPA 2005-0012) to relocate a "Community Center/Recreation Site" planned for Land Bay 2 to the subject site and to alter the original proffers triggers for the delivery of recreation facilities within the Brambleton Development is supported by the Revised General Plan, which calls for the provision of civic and open space uses within Residential Neighborhoods in the Suburban Policy Area. Community Planning supports the zoning concept amendment application and recommends approval provided the applicant commit to the draft proffer language.

Staff would be happy to meet with the applicant to discuss any comments or questions.

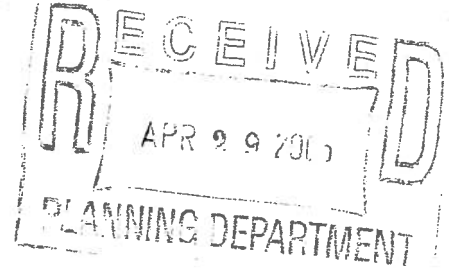
cc: Julie Pastor, AICP, Planning Director  
Cindy Keegan, AICP, Program Manager, Community Planning

A-69



**LOUDOUN COUNTY PUBLIC SCHOOLS**  
**PLANNING AND LEGISLATIVE SERVICES**

102 North Street, N.W.  
Leesburg, Virginia 20176  
Telephone: 703-771-6436  
Facsimile: 703-771-6409



April 22, 2005

Ms. Jo Ramesh  
County of Loudoun  
Department of Planning  
1 Harrison Street, SE  
Post Office Box 7000  
Leesburg, Virginia 20177

RE: ZMAP 2004-0025/Brambleton Corner

Dear Jo:

School Board staff has reviewed the zoning map amendment for Brambleton Corner. Based on the 2002 Virginia-County of Loudoun School Census, the proposed 49 single family attached units will generate a total of 19 school-age children: 11 elementary school-age children (grades K-5), 4 middle school-age children (grades 6-8), and 4 high school-age children (grades 9-12).

New students generate substantial operational and capital expenses. The escalating costs are evident in the County's operational and capital budgets. The ***School Board Adopted FY 2005 through FY 2010 Capital Improvements Program*** and the ***School Board Adopted FY 2005 Operating Budgets*** underscore the financial effects that student growth has on Loudoun County. Approval of the Brambleton Corner application will generate the following operating and capital expenses (see attached chart):

- Capital costs for the development's elementary school students will be \$250,549;
- capital costs for the development's middle school students will be \$117,556;
- capital costs for the development's high school students will be \$166,133; and
- the annual operating costs for the 19 students projected with this application are estimated at \$202,445.

The total estimated capital costs of \$534,238 and the yearly operating costs estimated at \$202,445 will be needed to fund the educational services for Brambleton Corner alone. The School Board is cognizant that these projected costs do not reflect anticipated revenues from real estate taxes, personal property taxes, and sales taxes. Nevertheless, the financial costs of all residential rezonings are not only significant, but also generate ongoing expenses that will continue to increase with the passage of time.

A review of all currently approved development suggests that Loudoun County Public Schools can anticipate the addition of just under 20,000 more students over the next five years. This calculation does not embody children who are currently being served by Loudoun County Public Schools, nor does it include future potential students from by-right developments. The current Capital Improvements Program has utilized all proffered school sites. Projected enrollment growth will surpass all potentially

Ms. Jo Ramesh  
ZMAP 2004-0025/Brambleton Corner  
April 22, 2005  
Page Two

available future capacity that is embodied in existing proffers. The Ashburn area is presently and will continue to experience significant student enrollment growth. Children from currently approved developments will more than fill the area schools. Additional development from new rezonings and by-right developments will place the schools in further jeopardy from a capacity perspective.

Capital facility proffer calculations indicate that public schools account for approximately 80 percent of Loudoun's estimated capital costs. A proportionate share of this project's capital facilities contribution should be set aside for public school capital projects. This designation should be noted within the Capital Facilities Contribution proffer statement (or other appropriate documentation) for Brambleton Corner.

And finally, the absence of safe walking paths throughout Loudoun County is becoming a more important issue to parents in a county where traffic volumes are increasing on a daily basis. In rural areas of Loudoun, every house with a child becomes a bus stop. Similar circumstances are emerging in the county's new subdivisions. Students that live within a school's walk zone must be transported to school because there are either no sidewalks or they are only constructed on one side of the street. Should new subdivisions contain sidewalks on both sides of the street, children could safely walk to a bus stop or school. Sidewalks not only increase operational efficiency, but ultimately mean less time on the school bus for Loudoun's children. Accordingly, in order to ensure that students residing within Brambleton Corner can safely walk to and from bus stop locations, pedestrian walkways should be provided and allow for public access easements.

The Loudoun County School Board is extremely concerned about all land development applications. Both capital facility expenditures and operational costs are significantly impacted by each approved residential project, and both can be anticipated to increase with each additional school-age child that resides in Loudoun County. Should you require any additional information, please contact me at your earliest convenience.

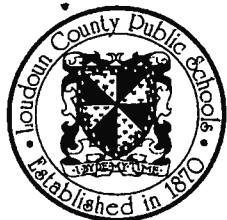
Sincerely,



Sam Adamo, Director

Attachment

A-71



# Loudoun County Public Schools

Department of Planning and Legislative Services

## Project Assessment

**Project Name: ZMAP 2004-0025/Brambleton Corner**

2002 Virginia-County of Loudoun School Census Student Generation Factors	Housing Units	Elementary School Student Generation	Middle School Student Generation	High School Student Generation	Student Generation Total
<b>Eastern Loudoun County</b>					
Single Family Detached	0	0	0	0	0
Single Family Attached	49	11	4	4	19
Multifamily	0	0	0	0	0
<b>Total</b>	<b>49</b>	<b>11</b>	<b>4</b>	<b>4</b>	<b>19</b>

Capital Costs	Elementary School Cost (FY06 CIP \$)	Middle School Cost (FY06 CIP \$)	High School Cost (FY06 CIP \$)	Total Capital Expenditure
School Cost	\$19,930,000	\$39,675,000	\$74,760,000	
Capacity	875	1,350	1,800	
Per Pupil Cost	\$22,777	\$29,389	\$41,533	
<b>Project's Capital Costs</b>	<b>\$250,549</b>	<b>\$117,556</b>	<b>\$166,133</b>	<b>\$534,238</b>

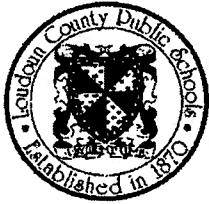
Annual Operational Costs	FY 2005 Estimated Per Pupil Cost	Student Generation Total	Annual Operational Costs
	\$10,655	19	\$202,445

School Facility Information	Elementary School* (Grades K-5)	Middle School (Grades 6-8)	High School* (Grades 9-12)
2004-05 Attendance Zone	Arcola	Eagle Ridge	Stone Bridge
September 30, 2004 Student Enrollment	399	632	1848
2004-05 Program Capacity	407	1132	1577

\* Based on School Board adopted attendance boundaries, Brambleton Corner would be served by Legacy Elementary School and Briar Woods High School beginning Fall 2005 (at the start of the 2005-06 academic year). Legacy Elementary School is anticipated to have a program capacity of 875; Briar Woods High School is anticipated to have a program capacity of 1600.

A-72

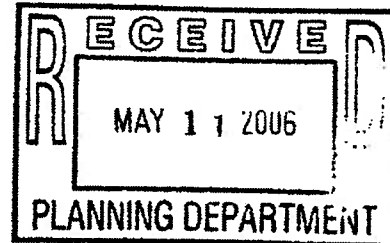




**LOUDOUN COUNTY PUBLIC SCHOOLS**  
**PLANNING AND LEGISLATIVE SERVICES**

21000 Education Court  
Ashburn, Virginia 20148  
Telephone: 571-252-1050  
Facsimile: 571-252-1101

May 8, 2006



Mr. Michael Elabarger  
County of Loudoun  
Department of Planning  
1 Harrison Street, SE  
Post Office Box 7000  
Leesburg, Virginia 20177

RE: ZMAP 2004-0025/Brambleton Corner (2<sup>nd</sup> Referral)

Dear Mr. Elabarger:

School Board staff has reviewed the second referral submission for the Brambleton Corner zoning map amendment. An updated project assessment chart, based on 2005 Virginia-County of Loudoun School Census data, is attached and provides the operational and capital expenses associated with the Brambleton Corner application.

With the exception of providing updated assessment data relating to public schools, staff offers no further comment from that provided on April 22, 2005. Should you require any additional information, please contact me at your earliest convenience.

Sincerely,

Sam Adamo, Director

**Attachment**

c: Edgar B. Hatrick, Division Superintendent  
Loudoun County School Board  
(Site Location: Dulles Election District)



# Loudoun County Public Schools

Department of Planning and Legislative Services

## Project Assessment

**Project Name: ZMAP 2004-0025/Brambleton Corner**

2005 Virginia-County of Loudoun School Census Student Generation Factors		Housing Units	Elementary School Student Generation	Middle School Student Generation	High School Student Generation	Student Generation Total
Single Family Detached (SFD)	0.83	0	0	0	0	0
Single Family Attached (SFA)	0.47	49	12	5	6	23
Multifamily (MF)	0.28	0	0	0	0	0
<b>Total Students</b>		<b>49</b>	<b>12</b>	<b>5</b>	<b>6</b>	<b>23</b>

Capital Costs	Elementary School Cost (FY 2007 CIP)	Middle School Cost (FY 2007 CIP)	High School Cost (FY 2007 CIP)	Total Capital Expenditure
School Cost	\$22,730,000	\$43,480,000	\$83,580,000	
Capacity	875	1,350	1,800	
Per Pupil Cost	\$25,977	\$32,207	\$46,433	
<b>Project's Capital Costs</b>	<b>\$311,726</b>	<b>\$161,037</b>	<b>\$278,600</b>	<b>\$751,363</b>

Annual Operational Costs	FY 2007 Estimated Per Pupil Cost	Student Generation Total	Annual Operational Costs
	\$12,460	23	\$286,580

School Facility Information	Elementary School (Grades K-5)	Middle School (Grades 6-8)	High School (Grades 9-12)
2005-06 School Attendance Zone	Legacy	Eagle Ridge	Briar Woods
September 30, 2005 Student Enrollment	802	705	497*
2005-06 Building Program Capacity	849	1130	1595

\* For the 2005-06 academic year only, Briar Woods High School is serving students in grades nine, ten, and eleven. Beginning Fall 2006, Briar Woods High School will serve students in grades nine through twelve.

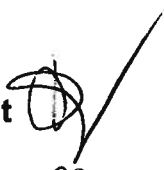

A-74

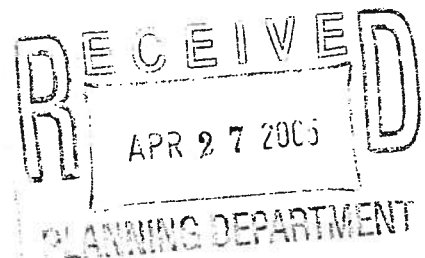


**COUNTY OF LOUDOUN  
DEPARTMENT OF SOCIAL SERVICES**



**MEMORANDUM**

**TO:** Jo Ramesh, Project Manager  
**FROM:** Christene Vogel, Housing Specialist   
**THRU:** Ron Eamich, Assistant Director, DSS   
**DATE:** April 19, 2005  
**RE:** ZMAP 2004-0025 Brambleton Corner



The subject rezoning application submittal has been reviewed in this office relative to DSS/Housing's items of concern. On this approximately 12.5 acre tract located in the northeast quadrant of intersection of future East-West Connector and Relocated Route 659, the total number of units being proposed is forty-nine (49) SFA. The requirements of the Affordable Dwelling Unit Program do not apply to the subject project, as proposed [per Section 7-102(A)] since the subject proposal does not yield fifty (50) or more dwelling units at an equivalent density less than one unit per gross acre.

Affordable housing in Loudoun County means fulfilling the housing needs of county residents with incomes ranging from 30% to 70% of the county median household income. In many instance individuals within this population are the ones providing essential services (teachers, police, etc.) to the higher paid more established buyers in new and expanding communities. As the county population grows we constantly strive to find ways to meet growing affordable housing needs. As such, we encourage this developer to fully embrace the affordable housing needs in Loudoun County and take action to help meet that need. We welcome voluntary contributions of housing/cash toward affordable housing for Loudoun County.

If you have questions concerning this matter please contact this office at Ext. 0389.

A-75



**COUNTY OF LOUDOUN  
DEPARTMENT OF FAMILY SERVICES**



**MEMORANDUM**

---

**TO:** Mike Elabarger, Project Manager

**FROM:** Christene Vogel, Housing Specialist

**THRU:** Ronald Eamich, Assistant Director,

**DATE:** May 25, 2006

**RE:** ZMAP 2004-0025 Brambleton Corner, Second Referral

---

The subject rezoning application re-submittal has been reviewed in this office relative to DFS' items of concern. On this approximately 12.5 acre tract located in the northeast quadrant of intersection of future East-West Connector and Relocated Route 659, the total number of units being proposed is forty-nine (49) SFA. The requirements of the Affordable Dwelling Unit Program do not apply to the subject project, as proposed [per Section 7-102(A)] since the subject proposal does not yield fifty (50) or more dwelling units at an equivalent density less than one unit per gross acre.

If you have questions concerning this matter please contact this office at Ext. 0389.

A-76



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)

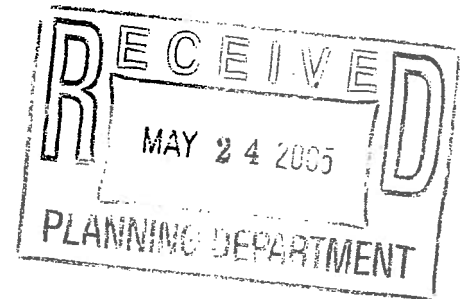
PHILIP A. SHUCET  
COMMISSIONER

DENNIS C. MORRISON  
DISTRICT ADMINISTRATOR

May 19, 2005

Ms. Jo Ramesh, AICP, Project Manager  
County of Loudoun  
Department of Planning  
1 Harrison Street, S.E.  
P.O. Box 7000  
Leesburg, Virginia 20177-7000

Re: Brambleton Corner  
Loudoun County Application Number: ZMAP 2004-0025



Dear Ms. Ramesh:

We have reviewed the above application as requested and offer the following comments:

1. The right-of-way width (46') shown for the public roads may not be adequate to accommodate all elements of this facility, i.e. curb and gutter, pavement, sidewalk, etc. Since no other relevant design data is provided we are unable to provide a meaningful review. However, the applicant should ensure on subsequent development plans that the design of a public road shall be in conformance with all applicable state standards. (Note: This office will not recommend approval of a rezoning or a preliminary plat unless all requirements are met.)
2. In continuation with the comment stated and as a minimum the following should be considered for design of public roads and private entrances:
  - The design of all public roads should be per VDOT *Road Design Manual, Appendix B, Subdivision Street Design Guide*, latest edition based on the projected traffic volume (ADT).
  - All private streets/entrances should conform to VDOT's *Minimum Standards Of Entrances To State Highways*, Latest edition.
  - Meandering road alignments with multiple reverse curves, short curves and broken back tangents are not desirable and should be avoided.
  - Length of vertical and horizontal curves should be three (3) and fifteen (or minimum 200') times the design speed respectively.

**Ms. Jo Ramesh, AICP, Project Manager**  
**May 19, 2005**  
**Page Two**

- All intersections should be at ninety-degree angle.
- The landscaping proposed along public roads should provide adequate sight distance at every intersection.
- Sidewalk proposed within the right-of-way should conform to the requirements of SSR, Section 24VAC30-91-160, and other applicable design standards.
- Turning lanes (right and left) with tapers and transitions should be provided at each intersection.

3. The following comments are provided on the Traffic Impact Study:

- Show the distance between each intersection
- Show the length of the existing/proposed turn lanes
- Use reasonable default values, signal timings, pedestrian phases, cycle length and phasings in Synchro analyses
- Re-evaluate site trip assignment at intersection #19
- Traffic volumes in Synchro do not match with the study
- For signalized intersection analysis, the minimum acceptable level of service criteria shall be applied to each lane group.

4. The applicant should be aware that the information provided in this rezoning application is purely conceptual and in no way represents an acceptable layout since adequate information is not provided at this time. We will however review this plan in detail when preliminary/ or construction plans are submitted in future to verify conformance. We also reserve the right to recommend revision, which may be major in some cases, if the public road alignment is found unacceptable and not conforming to applicable VDOT standards

If you have any questions, please call me at (703) 383-2424.

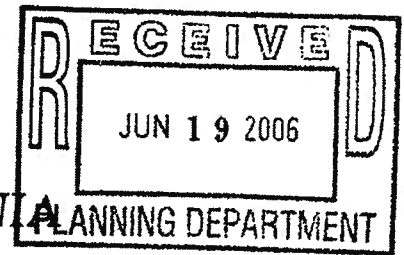
Sincerely,



Rashid Siraj, P.E.  
Transportation Engineer

(Com.05-19-05)

A-78



# COMMONWEALTH of VIRGINIA

GREGORY A. WHIRLEY  
ACTING COMMISSIONER

## DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)

June 6, 2006

Mr. Michael Elabarger, Project Manager  
County of Loudoun  
Department of Planning  
1 Harrison Street, S.E.  
P.O. Box 7000  
Leesburg, Virginia 20177-7000

Re: Brambleton Corner  
Loudoun County Application Number: ZMAP 2004-0025

Dear Mr. Elabarger:

We have reviewed the above revised application as requested and offer the following comment:

1. Our previous comments provided on the Traffic Impact Study have not been satisfactorily addressed. The applicant should either submit a revised TES or provide documentation in response to these comments. (Note: No documents, i.e. revised traffic study or a digital-copy was provided with the referral.) This application will be reviewed further after we receive all required information stated above.

If you have any questions, please call me at (703) 383-2046.

Sincerely,

Rashid Siraj, P.E.  
Transportation Engineer

(Com-2.06-06-06)

WE KEEP VIRGINIA MOVING

A-79





# COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.  
COMMISSIONER

## DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway  
Chantilly, VA 20151  
(703) 383-VDOT (8368)

February 2, 2007

Mr. Michael Elabarger, Project Manager  
County of Loudoun  
Department of Planning, MSC#62  
1 Harrison Street, S.E.  
P.O. Box 7000  
Leesburg, Virginia 20177-7000

Re: Brambleton Corner  
Loudoun County Application Number: ZMAP 2004-0025 *BRAMBLETON CORNER*

Dear Mr. Elabarger:

We have reviewed the above revised application as requested and offer the following comment:

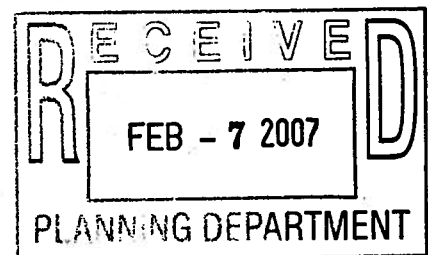
1. Our records indicate that response to our previous Comment 1 has not been provided.

If you have any questions, please call me at (703) 383-2046.

Sincerely,

Rashid Siraj, P.E.  
Transportation Engineer

(Com-3.02-02-07)



W. Tayloe Murphy, Jr.  
Secretary of Natural  
Resources



Joseph H. Maroon  
Director

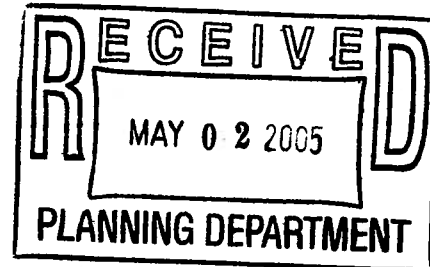
**COMMONWEALTH of VIRGINIA**  
**DEPARTMENT OF CONSERVATION AND RECREATION**

217 Governor Street  
Richmond, Virginia 23219-2010  
Telephone (804) 786-7951 FAX (804) 371-2674 TDD (804) 786-2121

April 29, 2005

Jo Ramesh  
Loudoun County – Dept. of Planning  
PO Box 7000  
Leesburg, VA 20177-7000

Re: ZMAP 2004-0025, Brambleton Corner



Dear Ms. Ramesh:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to the information currently in our files, natural heritage resources have not been documented in the project area. The absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks natural heritage resources.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (DCR), DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

In addition, our files do not indicate the presence of any State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

New and updated information is continually added to Biotics. Please contact DCR for an update on this natural heritage information if a significant amount of time passes before it is utilized.

The Virginia Department of Game and Inland Fisheries maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, that may contain information not documented in this letter. Their database may be accessed from [http://www.dgif.virginia.gov/wildlife/info\\_map/index.html](http://www.dgif.virginia.gov/wildlife/info_map/index.html), or contact Shirl Dressler at (804) 367-6913.

*State Parks • Soil and Water Conservation • Natural Heritage • Outdoor Recreation Planning  
Chesapeake Bay Local Assistance • Dam Safety and Floodplain Management • Land Conservation*

A-81

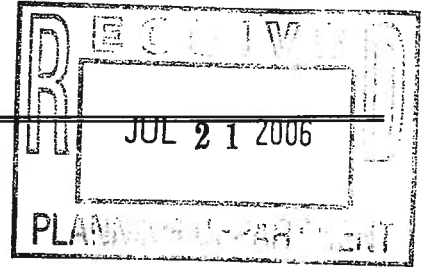
Should you have any questions or concerns, feel free to contact me at 804-371-2708. Thank you for the opportunity to comment on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "S. René Hypes", with a stylized flourish extending from the end.

S. René Hypes  
Project Review Coordinator

A-82




## MEMORANDUM

### OFFICE OF THE COUNTY ATTORNEY LOUDOUN COUNTY, VIRGINIA

DATE: July 21, 2006

TO: Mike Elabarger, Department of Planning (#62)

FROM: Lawrence E. Kelly, Assistant County Attorney 

SUBJECT: ZMAP 2004-0025: Brambleton Corner (1st Referral)

FILE #: 11-04-422

As requested, I have reviewed the draft proffers, dated April 20, 2006, for the above referenced Zoning Map Amendment application. Pursuant to this review, I offer the following comments:

1. In regard to the preamble, in the third line thereof, I suggest that the phrase "(collectively the 'Owners' or 'Applicants')" be changed to "('Applicant')", as neither the term "Owners", nor the term "Applicants", appears anywhere in the text of the proffers, while the term "Applicant" does..
2. In further regard to the preamble, in the fourth line thereof, the applicant indicates that the "Property" is a "part of Loudoun County Tax Map 91, Parcel 25", but does not indicate where the part that is the subject of the application is shown. I suggest that the applicant provide a reference point for showing which part of the referenced Tax Map Parcel is the subject of the application.
3. In regard to proffer I., in the second line thereof, I note that the applicant has only proffered to conform with Sheet 7 of the eight sheet plan set. I urge staff to review the acceptability of this, especially in regard to Sheet 8 and to the notes on Sheet 1. However, I note an error in Sheet 1, in Note 12, where the applicant states that the road, open space and lot layout are subject to change during site engineering. This note should indicate that these things may only change due to final site engineering, and not be so wide open as to allow for a total redesign of the development proposal "during site engineering".

A-83

4. In further regard to proffer I. in the third line thereof, I suggest that the phrase "Rezoning Application plans" be changed to "Zoning Map Amendment Plan" in order to match what is shown on Sheet 1 of the plan set.
5. In further regard to proffer I., in the fourth line thereof, I suggest that the parenthetical "(the 'Rezoning Plans')" be deleted, as this term is confusing since only the one sheet is identified as the "CDP" and the term is not used anywhere else in the proffers.
6. In further regard to proffer I., in the fourth line thereof, the applicant states that the final revision date for the CDP and plan set is April 19, 2006. However, the plan set that was forwarded to me is last revised March 10, 2006. I suggest that this inconsistency be eliminated.
7. In further regard to proffer I., and the reference to the CDP, I note that the CDP shows areas identified as "Possible Tree Save Area". However, there is no mention made of these areas in the proffers. I suggest that the applicant clarify their intent in regard to the provision of tree save areas.
8. In regard to proffer III.A., I note that the applicant states the intention to provide active and passive recreational amenities as shown on the CDP. One of these appears to be something identified as "Great Lawn". I suggest that the applicant indicate what this area will be.
9. In further regard to proffer III.A., in the last sentence thereof, the applicant indicates the intent to provide a "community building/pool house and pool". I suggest that the applicant specify the minimum sizes for the "community building/pool house" and the "pool".
10. In regard to proffer III.C., I note that there is no proffer III.B. I do not know if this was an oversight or the result of the deletion of a proffer before they were submitted, but I suggest that this proffer be changed to III.B.
11. In further regard to proffer III.C., concerning the multi-purpose trail, I suggest that the applicant specify how wide the trail shall be, and that it shall connect to, and be constructed of the same material as, the trails in Brambleton.
12. In further regard to proffer III.C., I note that there is nothing contained herein concerning the provision of a public access easement in which to locate the multi-purpose trail. However, the applicant has indicated that such an easement will be provided in proffer IV.A.1. and IV.B. I suggest that the provisions found in

these two later proffers be consolidated into this proffer III.C., so that a timing mechanism, consistent with the timing for the construction of the trails, can be provided. As written there are no timing mechanisms for the dedication of the public access easement in either proffer IV.A.1. or IV.B. Additionally, I suggest that the width of the public access easement be specified

13. In regard to proffer IV.A.1., concerning the dedication of right of way for Route 621 Relocated, I note that the applicant has indicated the intent to dedicate half of the needed right of way for this road, "across the Property's frontage, from the entrance to the Property west to Route 659 Relocated". This statement is internally inconsistent, as the "Property's frontage" extends east beyond the entrance to the Property. If the applicant has no intention of dedicating the right of way across the full frontage of their Property, I urge staff to review the acceptability of such a provision, as it will leave a gap in Route 621 Relocated.
14. In further regard to proffer IV.A.1., in the second sentence thereof, the applicant provides for two alternate timing mechanisms. However, as written, it could be interpreted that both timing provisions are contingent on the "requisite construction plans, plats and deeds" being prepared by others. I suggest that this provision be re-written so as to clarify that this prerequisite is only applicable to the situation where the dedication is being made prior to the first record plat or site plan, at the request of the County.
15. In regard to proffer IV.A.2., concerning the construction of improvements to Route 621 Relocated, I note that the improvements are only proposed to be constructed from the entrance on Route 621 Relocated to Route 569 Relocated. I urge staff to review the appropriateness of this, as the Property's frontage extends east from the entrance.
16. In further regard to proffer IV.A.2., in the fifth line thereof, the applicant states the intention to provide a cash equivalent contribution if "such required turn lanes" are constructed by others. I do not understand why this contribution is restricted to only the turn lanes, and I note that there was no previous reference to any turn lanes so as to allow for a reference to "such" lanes. I suggest that a new third sentence be added which states: "Construction of these improvements shall include all required turn lanes". I further suggest that consideration be given to providing a cash equivalent contribution if any of the frontage improvements, and not just the turn lanes, are constructed by others.
17. In regard to proffer IV.A., generally, I note that the CDP Shows Route 621 Relocated as being "Proposed By Separate Plan". I suggest that the meaning of this note on the CDP be clarified.

A-85

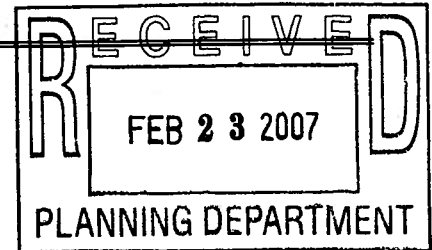
18. In regard to proffer IV.B., in the third line thereof, I suggest that the word "Relocated" be inserted following the phrase "section of Route 659."
19. In further regard to proffer IV.B., in the second sentence thereof, the applicant provides for two alternate timing mechanisms. However, as written, it could be interpreted that both timing provisions are contingent on the "requisite construction plans, plats and deeds" being prepared by others. I suggest that this provision be re-written so as to clarify that this prerequisite is only applicable to the situation where the dedication is being made prior to the first record plat or site plan, at the request of the County.
20. In regard to proffer IV.C., in the eighth line thereof, I suggest that the phrase "but may be used for any purpose as allowed by the terms of the Trust" be added following the phrase "southward to West Spine Road".
21. In further regard to proffer IV.C., I urge staff to review the acceptability of the applicant's proposal to forgo contributing towards capital facilities, transit and regional roads in lieu of providing the contribution to the Brambleton Transportation Improvement Trust.
22. In regard to proffer V., in the eleventh and twelfth lines thereof, I suggest that the phrase "primary fire and/or rescue service to the Property are no longer provided by an incorporated volunteer company" be changed to "primary fire and rescue services to the Property are no longer provided by incorporated volunteer companies".
23. In regard to proffer VI.D., I note that there are no proffer VI.A. through VI.C. If these are missing, then I suggest that they be incorporated into the next draft. If they do not exist, then I suggest that there is no need for the subparagraph designation.
24. In further regard to proffer VI.D., in the fourth line thereof, I note that the applicant has stated that the homeowners' association would be responsible for "lawn maintenance in all public rights-of-way". It seems inappropriate to have the HOA assume responsibility for anything concerning VDOT right of way maintenance responsibilities. I question whether this was intended to refer to private streets. I suggest that this be clarified.
25. In further regard to proffer VI.D., in the seventh line thereof, I suggest that the phrase "including the pool and the community building/pool house" be added following the phrase "areas owned by the HOA".

26. In further regard to proffer VI.D., I suggest that provisions be included that indicate that the documents annexing the property into the Brambleton Homeowners Association shall be submitted to the County for review and approval prior to approval of the first record plat, or first site plan for the Property, whichever is first in time.
27. In regard to proffer VIII., concerning an escalator for cash contributions, I note that the applicant has listed 2005 as the base year. I suggest that 2006 be the base year, but that the per unit figures be changed to reflect the changes in the value of the dollar over the course of the last year.
28. These proffers will need to be signed by all landowners, and be notarized, prior to the public hearing on this application before the board of Supervisors.



---

# MEMORANDUM




## OFFICE OF THE COUNTY ATTORNEY LOUDOUN COUNTY, VIRGINIA

---

DATE: February 22, 2007

TO: Mike Elabarger, Department of Planning (#62)

FROM: Lawrence E. Kelly, Assistant County Attorney 

SUBJECT: ZMAP 2004-0025/ZCPA 2006-0011: Brambleton Corner

FILE #: 11-04-422

---

As requested, I have reviewed the draft proffers, dated December 13, 2006, for the above referenced Zoning Map Amendment/Zoning Concept Plan Amendment application. Pursuant to this review, I offer the following comments:

1. These proffers are so poorly written as to make it impossible to provide meaningful commentary. They need to be done over from scratch in such a manner as to make sense. Some of the issues that need to be addressed include:
  - a. The terms of art used in the preamble and in the document are inconsistent with each other. This applies to the identity of the applicant and of the subject property.
  - b. The actual subject property needs to be clearly indicated. While the applicant has attached an Exhibit A, which identifies several parcels which total 42.72 acres, the Concept Plan only shows a parcel that totals 12.47 acres.
  - c. In proffer 1. the applicant identifies a different plan set than what was submitted to me with this application. The title and dates are inconsistent. Additionally, the applicant identifies conformance only with Sheet 8A, and then refers to "all parcels" shown on Sheet 8A as being the parcels as being part of the "Proffer Plan Amendment" as if there is a different

A-88

Mike Elabarger

ZMAP 2004-0025/ZCPA 2006-0011: Brambleton Corner

February 22, 2007

page 2

---

amendment and different parcels that are the subject of the application. Sheet 8A shows different lines, one identifying the "Limits of the Concept Plan Amendment" and one showing the "Limits of the Proffer Plan Amendment". However, the applicant has also included a note on Sheet 8A which indicates that the "Limits of the Proffers Plan Amendment" are not included within the application. None of what is shown on Sheet 8A makes sense.

- d. In proffer 2. The applicant refers to a variety of zoning districts, while the Concept Plan, which technically is not being proffered, only shows PDH-4 as a zoning district. The applicant then refers to conformance with a "ZCPA Plan Set" which was not submitted nor included with this application. None of this makes much sense.
  - e. Proffer 3. contains a number of trigger mechanisms which refer to thousands of zoning permits. However, the application appears to be for 49 single family attached houses and a community recreation site. The trigger mechanisms make no sense. The proffer also refers to multiple community recreation sites, when there is only one shown on the concept plan. Additionally, the concept plan shows a "great lawn" but no mention of the provision of a great lawn is included in the proffers. I suggest that the intent needs to be clarified.
- 2. It needs to be clarified whether these proffers are intended to merely amend the previous Brambleton proffers, or given that this is a rezoning, whether this application is to be reviewed on its own merits. It may simplify things to consider this as a separate rezoning application. I do not know if there is a need for the amendment to the Brambleton Concept Plan. In either event, the intent needs to be clear, and these proffers are not.
  - 3. The proffers will need to be signed by all landowners, and be notarized, prior to the public hearing on this application before the Board of Supervisors.

**COUNTY OF LOUDOUN**  
**DEPARTMENT OF BUILDING AND DEVELOPMENT**  
**MEMORANDUM**

**DATE:** March 5, 2007

**TO:** Mike Elabarger, Planning Services

**FROM:** Proffer Referral Team

**THROUGH:** Daniel Csizmar, Capital Facilities Planner

**SUBJECT:** **Brambleton Corner (ZMAP-2004-0025)**  
**Proffer Comments**

This memorandum is in response to your request for reviews and comments regarding the Draft Proffer Statement for ZMAP-2004-0025, Brambleton Corner. This referral represents the combined comments of all County Departments with capital facility planning responsibilities.

The Applicant is proposing to use the cash contributions that would typically go towards capital facilities for the construction of an off-site segment of Loudoun County Parkway. This proposal is linked with three other rezonings that propose the same cash contribution tradeoff to fully fund the construction of the off-site segment of Loudoun County Parkway: ZMAP-2004-0026 (Brambleton Town Center Residential), ZMAP-2004-0024 (Brambleton Brandt), and ZMAP-2005-0020 (Brambleton Active Adult).

This proffer statement provides the County with a Transportation Cash Contribution of \$33,209 per market rate unit developed, or a little over \$1.6 million, in lieu of the regular capital, transportation and transit contributions typically offered in rezoning applications. This contribution, if provided, is proposed to offset the capital facility contribution amount requested by the County but does not provide the County with any funds for capital facilities. If the County chooses to accept the provision of road funding in lieu of capital facility funding, the County will have to make up the difference in its provision of capital facilities using general obligation bonds and local tax funding. In essence, if this proposal is accepted, the County needs to add an additional \$1,455,741 to its Capital Improvements Program (CIP) to offset the cost of capital facility contributions that would have been provided by this application.

The current proposal made by the Applicant achieves the construction of Loudoun County Parkway from the East/West Connector (Route 621 Relocated) to the West Spine Road, as well as the completion of the East/West Connector from Route 659 to Loudoun County Parkway. While achieving this regional road improvement, the proposal would shift the capital facility contribution towards regional roads rather than capital facilities. This action has the potential to set a precedent for other applicants to follow that would reduce capital facility funding needed by the County. In effect, for every dollar taken from capital facility contribution amounts, one dollar

*A-90*

needs to be added to the County's Capital Improvements Program (CIP) for planned capital facilities. In order to obtain favorable staff approval of this option, the Applicant may have to lower the percentage of capital facility contributions proposed to be diverted to the Loudoun County Parkway project, or increase the value of its land and in-kind capital contributions.

The County has a stated need for land and specific capital facilities in the vicinity of the Brambleton projects. In the Dulles Planning Subarea, the following facilities and acreages are needed by 2018:

<u>Facility</u>	<u>Total Acreage</u>	<u>Opening Date</u>
Regional Park & Ride Lots (2)	7.5 acres	2013 & 2014
Library	7.5 acres	2013
MR Townhouse	0.25 acres	2013
MH Townhouse	0.25 acres	2015
District Parks (2)	150 acres	2013 & 2015
Community Parks (4)	120 acres	2013-2016
Vehicle Facility	10 acres	2016
Government Service Center	2.5 acres	2016
Recycling Dropoff Center	0.25 acres	2016

The total cash contributions provided by the four linked rezoning applications at the proposed level results in an \$8 million deficit in funding the construction of Loudoun County Parkway and Route 621 Relocated. The County does not gain anything from the Applicant's proposal if all potential cash contributions are used for road segments that can not be constructed due to funding shortfalls or the pace of the economy. The cost of materials and labor for road construction are likely to increase at a faster rate than the rate of interest earned by the cash contributions within the Brambleton Transportation Improvement Fund. Given the inherent shortfall in funding, the Applicant should guarantee that the construction of the proposed road segments will be completed, within a certain timeframe, regardless of funding shortfalls or if costs exceed project financing. The proposed cash contributions can be used to reimburse the Applicant for their construction costs; any construction costs that exceed the proffered contributions have to be borne by the Applicant.

Land development applications require consideration on their own merit, independently of other applications. However, the proposal provided by these applications does not work if the applications are considered separately by the Board of Supervisors. The proffer statement needs to include a provision in the event the Board of Supervisors does not pass all four applications. The provision provided in the Proffer Statement should state the following: "In the event that rezoning applications ZMAP-2004-0026, ZMAP-2004-0024 or ZMAP-2005-0020 are not all approved by the Loudoun County Board of Supervisors, then \$29,709 of the \$33,209 per unit contribution proffered in Proffer IV.C shall revert to Capital Facility Contributions to be used for the development of capital facilities in the Ashburn or Dulles Planning Subareas. \$3,500 of the per unit contribution proffered in Proffer IV.C shall revert to regional road contributions." Based on current calculations, the value of the capital facility contributions equals \$1,455,741 to offset the capital facility cost to the County of rezoning to a higher density. The value of the regional road contributions equals \$171,500.

Furthermore, the clause in Proffer IV.C that states that capital facility contributions “may be used for any purpose al allowed by the terms of the Trust” should be removed. If the cash contributions associated with this rezoning are not used by the Brambleton Transportation Improvement Fund to complete the proposed segment of Loudoun County Parkway, then the contributions should revert back to the standard capital facility and regional road contribution designations. The use of cash contributions that would otherwise have been capital facility funds can only be used to complete the proposed road segments outlined in Proffer IV.C.

In the event a third party constructs Loudoun County Parkway from the East/West Connector (Route 621 Relocated) to the West Spine Road as outlined in Proffer IV.C, the use of the cash contributions may be used to reimburse the third party responsible for such road construction.

The following comments are provided for other aspects of the proposed Proffer Statement for ZMAP-2004-0025, Brambleton Corner:

- 1.) **[Proffer VII]** The Proffer Statement needs to state that the responsibility for maintaining all internal streets must be the responsibility of the Homeowner’s Association (HOA).
- 2.) **[Proffer IV.A]** Sections 1 and 2 of this proffer should state that the right-of-way (ROW) and construction of two lanes of a four lane divided section of Route 621 Relocated across the Property’s frontage should go from the “Property’s eastern boundary west to Route 659 Relocated as shown on the CDP”. There is a segment of roadway along the Property’s frontage east of the Property’s entrance that would not be included in the ROW dedication and associated road construction as currently stated in the Proffer Statement.
- 3.) **[Proffer IV]** The Proffer Statement does not have a Cash in Lieu of Construction provision in the event the road segments proposed in Proffer IV.A & B are constructed by others. Please provide a Cash In Lieu of Construction provision in the proffer statement to state that the cash in lieu of construction contributions will be based on actual costs if possible; the actual cost of constructing the road segments will include all associated engineering, surveying, bonding, permit fees, utility relocation, and other hard costs of construction based on paid invoices. The cash in lieu of construction contribution will occur at the time the Applicant would have otherwise been required to bond or construct such road improvements.

If you have any questions concerning this correspondence, please call me at (703) 771-5997.

A-92